



**REGULAR COMMON COUNCIL MEETING  
FEBRUARY 7, 2011  
7:00 P.M.**

<b>Regular Meeting</b>	The Regular meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, February 7, 2011 at 7 p.m.
<b>Present</b>	Mayor Sebastian N. Giuliano; Council Members: Thomas J. Serra, Ronald P. Klattenberg, Philip J. Pessina, Gerald E. Daley, Robert P. Santangelo, James B. Streeto, Grady L. Faulkner, Jr., Deborah A. Kleckowski, David Bauer, Daniel T. Drew; Corporation Counsel William Howard, Sergeant-at-arms Acting Chief of Police Patrick McMahon; and Common Council Clerk Marie O. Norwood.
<b>Absent</b>	Council Members Joseph E. Bibisi and Hope P. Kasper
<b>Also Present</b>	Twenty-five members of the public
<b>Meeting Called to Order</b>	The Chair calls the meeting to order at 7:06 p.m. and asks the Vietnam Veterans to lead the public in the Pledge of Allegiance.
<b>Call of Meeting Read</b>	The Call of the meeting is read and accepted. The Mayor declares this call a legal call and the meeting a legal meeting.
<b>Moment of Silence</b>	Asks that all present in chamber observe moment silence for first anniversary of the explosion of Kleen Energy plant at 7:07 p.m.
<b>Motion to Accept Agenda</b>	<p>The Chair states he will entertain a motion to accept or amend the agenda. Councilman Serra moves to amend the agenda by adding the following:</p> <p>9I      Emergency Purchase, Park and Recreation Department for repairs on their John Deere Backhoe/Loader</p> <p>9J      Grant Confirmation and Approval ó Police Department ó Animal Control donations</p> <p>9K      Grant Confirmation and Approval ó Health Department for H1N1, MDA 36</p> <p>Resolution 11-8 Authorizing the Mayor to establish a temporary emergency Small Business Assistance Program to help the small businesses displaced from Main Street due to collapsed or structurally unsound buildings find new locations, helping with permitting issues, and working with the utilities and issuing Economic Development grants up to \$5,000 per each displaced business with the Planning Conservation and Development Department in consultation with the Mayor and Chairman of The Economic Development Committee administering the program.</p> <p>His motion is seconded by Councilman Pessina. The Chair states it has been moved and seconded and calls for discussion. Councilman Streeto states concerns regarding agenda item 11-2, he will refer this to Personnel based on comments made by the Personnel Director.</p> <p>Councilman Bauer states he will be glad to defer it, if you want to clear it up. Councilwoman Kleckowski states she wants it on the agenda as Director Milardo stated it will be discussed but she would like the Mayor to research this so no one has the authority to disregard the MOU's. Although it may be in a Union contract this time, it may not be at another time. Fire is looking at this and it doesn't mean it will be there in the future. This is the administration researching how to provide a universal sick bank. The Chair asks if it is going to be reviewed by Personnel Review and should it be presented to Personnel Review. He will get the question answered and report to Personnel Review. Councilwoman Kleckowski thanks Debra Milardo, Personnel Director for bringing this matter forward. It was an effort by many.</p> <p>Councilman Bauer states his question is on 9K; he thought it was the new policy and this is a grant for over \$47,000 and by accepting it, it is an implied acceptance on how it is spent and there is no indication on how it will be spent and he is troubled by this and not having the chance to review how it will be spent. The Chair states the Health Director was here during</p>

questions to directors and that should have been asked. Councilman Bauer states he didn't pick up on it and there is an implied understanding on how it will be spent. The Chair recognizes Councilman Serra who addresses agenda item 11-2 and it is his intent to advocate what we have done in past practice. If someone needs it, they can have it and he endorses what Councilwoman Kleckowski is trying to do. We have done it in the past in bringing forward sick days that are needed. To respond to Councilman Bauer, we had the same situation in 9K and it is above and beyond the work scope and it should be documented. They get their monies after it is documented and the Finance Director did get the time cards on this. The Chair calls for the vote. It is eight aye votes by Council Members, Serra, Klattenberg, Pessina, Daley, Santangelo, Streeto, Kleckowski, and Drew; and one nay vote by Councilman Bauer. The Chair states we have three absent Council members so it is not nine aye votes. The matter fails. Councilman Bauer states he will vote for everything but item 9K, the Health Grant. The Chair asks if the Council would like to take up 9K separately. The Maker of the motion states he would move everything except 9K. The Chair states the vote is to amend the agenda to add all except 9K; Councilman Pessina seconds the motion. The Chair states the motion is to add 9I, 9J and resolution 11-8 and he calls for the vote. It is unanimous to approve with nine aye votes. The Chair states it is nine votes and the agenda is amended by adding 9I, 9J and resolution 11-8. He asks if the Council wants a vote on 9K. Councilman Serra withdraws 9K from consideration.

<b>Agenda Item</b>	<b>3-1</b>
<b>Description</b>	<b>Resolution</b>

The Chair recognizes Councilman Pessina and he expresses his and the Council's condolences on Councilman Pessina's loss.

Councilman Pessina moves to the public podium and asks Coach Marinar and the Xavier Football Team to come forward. He states it is my pleasure to read this resolution and congratulates the team. He moves the resolution for approval and Councilman Serra seconds the motion. The Chair states it may be approved without objection. He reads that it is an honor to read the resolution about the tremendous efforts of this team. He quotes a former NFL player, Johnny Unitas. Your team did believe and met the coaches challenge by completing a season as an undefeated team. On behalf of the Council he personally congratulates him and considers it an honor to recognize your efforts. He wishes them luck and success in their future endeavors as well as the seniors at Xavier and Mercy. We are honored to have them as part of the athletic teams in Middletown. We need to learn respect. And he quotes Jesse Owens. He congratulates the team.

Councilman Serra congratulates the coaches and the team and this is your second time; the first was 2005. He states you did a great job in teaching your young men. Congratulations from the Middletown Sports Hall of Fame. Coach Marinar thanks Councilman Pessina, the Mayor, and members of the Council and he appreciates this honor. We talk to our young men all the time and that the eyes of the community are on them and they need to be role models for younger people. Our efforts and hard work are respected and that is appreciated. It is a great honor to represent Xavier and the City of Middletown at a high level throughout the State. We have a great support system and great young men who come from surrounding towns.

The Team and Coaches receive a standing ovation from the Council and the members of the public.

<b>Resolution No.</b>	<b>14-11</b>
<b>File Name</b>	<b>ccZavier2010draft.doc</b>
<b>Description</b>	<b>Honoring the Xavier Football Team, Class LL State Champions.</b>
<b>(Approved)</b>	

**WHEREAS**, Xavier High School is ranked as the Number One High School Football Team in Connecticut; and

**WHEREAS**, Falcons football team lead by head Coach Sean Marinar beat Trumbull 24-13 to win the Connecticut Class LL State Championship at Rentschler Field; and

**WHEREAS**, they are the Southern Connecticut Conference Champions as well as the City of Middletown Champions with a season record of 13 wins and no losses; this is the first team in the School's and City's history to win thirteen games. They averaged 27.5 points per game and allowed an average of 8.9 points per game from their opponents; and

**WHEREAS**, the Falcons had a challenging season schedule, against many of the State's top teams including, Cheshire, for the first time, West Haven, Hillhouse, Glastonbury, and the 2009 State Champions, Notre Dame of West Haven; and

**WHEREAS**, the team's coaching staff, lead by Sean Marinar, Head Coach and Assistant Coaches Paul Bischoff, Andy Guyon, Raj Jaswal, Dave Sterling, Dick Nobile, Mark Congdon,

Bob Guyon, and Nidjan Lamotey, have worked diligently with the team to bring them through their winning season; and

**WHEREAS**, the graduating Seniors of the Xavier Team Seniors are Eric Mischke, Captain, Graham Stewart, Captain, Austen Ahern, Walter Augur, Gerry Basadonna, Kosy Broderick, Jeff Brymer, Paul Drabinski, Josh Etheridge, Rohan Kapur, Tom Linden, Joseph Lynch, Jim McNamara, Anthony Rizza, Matt Rowley, and Nate Tobias; and

**WHEREAS**, the Mercy High School Cheerleaders have led the Middletown Xavier football fans and have supported and sustained Xavieris efforts through the season.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we congratulate Xavier High School Falcons on winning the Class LL Championship and the Southern Connecticut Conference to become the No. 1 ranked High School Football Team in Connecticut. The accomplishment of this talented team brings honor to their School as well as Middletown. Their record of 13 wins and no losses is a tribute to their dedication and diligent team work. We thank the 2010 Xavier Football Team and Mercy High School Cheerleaders for representing our City so favorably, and we wish them well in their future endeavors.

Agenda Item

Description

3-2

Resolution

Councilman Pessina asks Commander Larry Riley to come to the podium. He reads the resolution honoring the Vietnam War Era Veterans Group on the 25<sup>th</sup> anniversary of its founding.

Noted for the record

Councilman Faulkner takes his seat at 7:29 p.m.

Councilman Pessina moves it for approval and his motion is seconded by Councilman Serra. The Chair states without objection, the motion is approved.

Councilman Pessina states it was not the start or ending of the Vietnam War that judged the returning troops. Although they fought valiantly, our society judged them harshly. These Veterans will always be remembered by their fighting spirit. It is an honor to present this resolution recognizing all the Vietnam Veterans and your founding members. It is a small recognition to you who fought in this war. He is humbled by those that served and did not return. It has to be remembered when others fled for political ideology these members stood tall and fought for democracy. They have been ridiculed and scorned during post Vietnam years and they have shown their commitment to their county by volunteering. These Vets will not be forgotten and history will show that the Vietnam Era Veterans will be true American heroes. God bless you. The group receives a standing ovation

Commander Riley thanks Councilman Pessina for the heartfelt comments. He thanks the Council and the Mayor. The Vietnam Vets are trying to give back. We were treated badly when we got back from the war and they didn't get involved in groups because of that. They did what they were told to do. We didn't want the war but the Country called and we did what we had to do. He thanks the Veterans of the Vietnam war and without their support we could not do what we did. We still want to serve Middletown. Thank you very much.

Councilman Santangelo states we shared something. One of the things Councilman Pessina said about the war and what we had done was eloquent. We knew who we were. We still have our memories and experiences and we can only share them when we get together. A lot of people did not come back. It was great to honor the Vietnam Vets; you have done a great job with your Chapter. We walk and hold our heads proud. We served and thank you for serving.

Resolution No.

File Name

Description

15-11

ccveteranvietnam25.doc

Congratulating the Middletown Chapter of Vietnam Veterans on their 25<sup>th</sup> Anniversary.

(Approved)

**WHEREAS**, the Veterans of the Vietnam War Era, Middletown Chapter is celebrating their 25<sup>th</sup> anniversary of its founding; and

**WHEREAS**, in October, 1985 founders Joe Labbadia, Tom Goglia, Jim Marshall, Vin Labbadia, and Committee Chair and WWII vet Tommy Frayne Sr. met with then Mayor Sebastian Garafalo to raise private funding to construct a Korea/Vietnam Memorial : and

**WHEREAS**, these efforts led to the founding of the Chapter and their first meeting at the Middletown Armory, had nine men in attendance; over the last 25 years, the Chapter has grown to 102 members living in six States through the U. S.; and

**WHEREAS**, the Veterans of the Vietnam War have lived up to their motto of "People Who Care." They have been involved with the Middletown Head Start program donating time and funding to provide comprehensive child development services; the special Olympics both at the County and State Level including coordinating the Softball Throw Event at the State Games; and

**WHEREAS**, they formed a Speakeris Bureau to address students at local schools to respond to questions and dispel misinformation about the war; they have worked with the Marines in collecting Toys for Tots. They continue to collect and package items to be sent to troops serving in areas of conflict. For over 20 years, they have partnered with the Salvation Army as Bell Ringers; they have sponsored food drives; and have partnered with Vinal Tech and member Len Messina to feed area veterans, especially during the holiday season; and

**WHEREAS**, the Veterans of the Vietnam War have sponsored an annual golf tournament which raises over \$60,000 for local college scholarship awards to high school seniors from around the area. They organize trips to iThe Wall,i the Vietnam Veteransi Memorial in Washington, D.C. for family and friends who wish to spend time there; and

**WHEREAS**, this Veteranis group works to help its own and to honor all returning soldiers and veterans by staging welcome home parades, attending POM/MIA rallies. They have created rap groups, counseling centers, and other support systems to help veterans deal with their experiences during the Vietnam War. The average age of men who served in Vietnam was 19, with many of those serving just graduating from high school and entering combat; and

**WHEREAS**, over 247 Medals of Honor were awarded during the Vietnam War, with many soldiers distinguishing themselves and doing the job they were asked to do with courage, skill and determination. These men will be remembered for their service and allegiance to their Country.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we congratulate the Middletown Chapter of the Veterans of the Vietnam War on their 25<sup>th</sup> Anniversary. They have contributed a valuable service, not only to their Country, but to Middletown and the surrounding area by continuing to carry on service to their communities. We thank them for all their efforts, not only for veterans, but all citizens who are touched by their continuing commitment to this community.

<b>Agenda Item</b>	<b>4</b>
<b>Description</b>	<b>Approval of Minutes</b>

The Chair requests a motion to approve the minutes of the regular Common Council meeting of January 3, 2011 at 7 p.m. meeting; Special Meetings of January 3, 2011 at 6 p.m., January 6, 2011 at 6:30 p.m. and January 13, 2011 at 7 p.m. having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council Member, the reading of the same having been dispensed with, Councilman Serra moves them for approval and is seconded by Councilman Pessina. There is no discussion. The Chair calls for the vote. Council Members Serra, Klattenberg, and Daley abstain from the vote on the special meeting held on January 13, 2011 at 7 p.m.; Councilman Drew abstains from the vote on the meetings held on January 3, 2011 and January 6, 2011. The Chair states are there any others. Seeing none and no discussion indicated, he calls for the vote. There are no nay votes. The Chair states the matters pass with the abstentions noted.

<b>Agenda Items</b>	<b>5 and 6</b>
<b>Description</b>	<b>Public Hearing Opens on Agenda Items</b>

The Chair opens the public hearing at 7:40 p.m. on any item on tonightis agenda. He reminds everyone that there is a five minute rule.

Salvatore Caracoglia congratulates Councilman Santangelo for graduating from stupid to (pejorative expression). Councilman Santangelo asks the Mayor why he doesnt tell Mr. Caracoglia to get out.

The Chair asks for other members of the public who wish to speak on agenda items.

Jeff Pugliese speaks in support of the creation of the small business emergency program. We feel they are strong members of the business community and this sends a strong, good message. The Chamber stands to work with you for the businesses and the creation of the program.

Ryan Kennedy is not sure about all the additions and deletions, but addresses 11-2. It has been a long 12 months for Council, and Board of Education and School Administration. We have come across a lot of grey area that the City has been dealing with and resolution 11-2 deals with it and if we continue with the shared employees, that we understand the grey areas. He thanks Councilwoman Kleckowski for coming up and drafting 11-2 and the Council for supporting this and moving ahead. He congratulates Councilman Drew.

The Chair asks for other speakers. A member of the public asks if the Small Business Emergency Program was added on. The Chair states yes. Mike Wynn states as the owner of one of the businesses, Mikeis Barber Shop for the past 9 years, he looks forward to continuing in Middletown. With the help of the City and different organizations, they are going forward. Melissa Gionfriddo owner of Tesoro thanks the Mayor and Council for any assistance

they can give. She just relocated there and opened in October and any funding she had, has been spent and she would appreciate any help. Dimitri DiAlessandro, owner of Middletown Framing also address 11-8. Last year was their 35 year and they are not leaving and it would be huge assistance because it will be hard to get their space ready. They will be across the street but this has been a shock and the last several days have been awful. He thanks everyone for their concern for offering their assistance. The speakers would like the Council to approve the new program.

**Public Hearing Closed** The Chair asks if there are other members of the public who wish to speak to come forward. Seeing none, the Chair closes the public hearing on agenda items at 7:47 p.m.

**Agenda Item 9**  
**Description Old Business**

Councilman Serra states he refers old business back to the Personnel Review Committee and hopefully it will come back with a specific nonbargaining unit document to put in place for July 1 as well as retroactively doing something. Councilman Streeto seconds the motion to refer it back to the Personnel Review Committee. The Chair calls for discussion. Hearing none, he calls for the vote. It is unanimous with ten votes to refer this item to the Personnel Review Committee. The Chair states the matter passes unanimously.

**Resolution No. 16-11**  
**File Name ccnonbarmmpa2010-11raise.doc**  
**Description Approving the salary increase for nonbargaining unit members who piggyback MMPA.**  
**(Referred to Personnel Review Committee)**

**Whereas**, the non-bargaining unit positions of Fire chief, Deputy Fire Chief, Director of Public Works, Acting City Attorney, Director of Finance, Director of Personnel, Deputy Director of Personnel, Acting Chief of Police, Executive Assistant to the Mayor and the Assistant to the Superintendent of Schools kept their insurance premium at 14% instead of 15% from July 1, 2010 to the present, instead of receiving a raise in salary; and

**Whereas**, these individuals have been given the salary and benefits as stated in the MMPA contract.

**Now, Therefore, be it resolved by the Common Council of the City of Middletown:** That from January 1, 2011 to June 30, 2011 these individuals will pay the 15% premium for their insurance benefits; and

**Be It Further Resolved:** That they be granted the salary increase (4%) as afforded to MMPA members from July 1, 2010 to June 30, minus the repayment of the 1% insurance premium payment that they did not pay from July 1, 2010 to January 3, 2011; and

**Be It Further Resolved:** That after June 30, 2011, nonbargaining employee salaries, benefits, terms and conditions of employment shall not be set by piggybacking on any Middletown Collective Bargaining Unit.

**Financial Impact:** The financial impact of the proposed resolution is \$34,812 .

**Agenda Item 8**  
**Description Department, Committee, Commission Reports and Grant Approvals**

Councilman Serra reads and moves for approval 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, and 9J; Councilman Pessina seconds the motion. The Chair calls for the vote. It is unanimous, with ten aye votes to approve these items. The Chair states all are adopted and accepted with ten in favor and none against and no abstentions

**Agenda Item 9A**  
**Description Town Clerk Certification**  
**(Approved) February 1, 2011**

I, Sandra Russo Driska, City and Town Clerk of the City of Middletown, and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on January 3, 2011 at 7:00 p.m. and specials meetings on January 3, 2011 at 6 p.m., January 6, 2011 at 6:30 p.m., and January 13, 2011 at 7:00 p.m., have been advertised in the local newspaper.

Attest:  
Sandra Russo Driska  
City & Town Clerk

**Agenda Item 9B**  
**Description Monthly Reports**

(Accepted)

Finance Department – Transfer Report to January 22, 2011  
Public Works Monthly Report with summary Bldg Permits for  
December, 2010

Agenda Item  
Description  
(Approved)

9C  
Grant Confirmation and Approval – Board of Education, Various Grants

**Name of Grant:** As Listed Below  
**Amount Requested:** \$677,205.99  
**Code:** 2450-33000-59405  
**Grant Period:** **From:** 7/1/2010 **To:** 6/30/2011  
**Type of**  
**Amount Loaned from General Fund:** \$0.00  
**Department Administering Grant:** Middletown Board of Education  
When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.  
**Description of services to be provided by this Grant:**  
852 - Universal Service Fund \$112.34; 876 - Hartford Symphony Donations \$5,820; 892 - Innovative Mini Grant - Keigwin School \$9,000; 700 - Food Services Receipts \$303,571.59; 801 - Cigna Certified & Paras \$201,512.06; 803 - Workers' Compensation \$115.50; 804 - Preschool Receipts \$3,840; 807 - Aetna Classified \$113.91; 809 - Maintenance/Rentals \$147,007.34; 893 - Fingerprinting Receipts \$96.25; 898 - Student Activities - M.H.S \$5,000; 901 - Keigwin Parent Fees \$240; 903 - Family-School Connection Receipts \$777 Total Special Programs Through 12/14/2010 \$10,559,764.63 ADDITIONS \$677,205.99 Total Special Programs Through 1/14/2011 \$11,236,970.62  
**Requested by:** Michael J. Frechette, Ph.D.

Agenda Item  
Description  
(Approved)

9D  
Grant Confirmation and Approval – Mayor’s Office/School Readiness

**Name of Grant:** School Readiness  
**Amount Requested:** \$150,228.00  
**Code:** 3730-33000-59200  
**Grant Period:** **From:** 7/1/2010 **To:** 6/30/2011  
**Type of** State  
**Amount Loaned from General Fund:** \$0.00  
**Department Administering Grant:** Mayor's Office/Superintendent of Schools/School Readiness Council  
When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.  
**Description of services to be provided by this Grant:** This grant will supplement the \$1,775,554 already approved by the Common Council in September 2010, for school readiness programs that increase the number of accredited slots for young children to attend high quality preschool  
**Signature:**  
**Requested by:** Mayor Sebastian N. Giuliano

Agenda Item  
Description  
(Approved)

9E  
Grant Confirmation and Approval – Health Dept. – Public Health Emer. Response

**Name of Grant:** PHER (Public Health Emergency Response)  
**Amount Requested:** \$24,756.00 **Code:** 3220-31000-59200  
**Grant Period:** **From:** 10/1/2010**To:** 7/30/2011  
**Type of** State  
**Amount Loaned from General Fund:** \$0.00  
**Department Administering Grant:** Health Department  
When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.  
**Description of services to be provided by this Grant:** supplement grant to our PHEP (Public Health Emergency Preparedness) grant. Our intent is to improve our exercise and response plans. Funds to reimburse the general fund for BT Coordinators salary \$17,206.00 and administrative costs of \$2,250; other funds will re-supply equipment into POD boxes. This PHER grant will reimburse the City's general fund a total of \$19,456.00.  
**Requested by:** Joseph A. Havlicek, MD

Agenda Item  
Description  
(Approved)

9F  
Emergency Purchase – Water and Sewer  
Roof and gutter repairs at Berlin Street

Agenda Item Description (Approved)	9G Emergency Purchase – Fire Department – Snow blower
Agenda Item Description (Accepted)	9H Water and Sewer Report on Sewer Insurance Claims Guy Russ, Director
Agenda Item Description (Approved)	9I Emergency Purchase – Park and Recreation Department – Repairs on John Deere Backhoe/Loader
Agenda Item Description (Approved)	9J Grant Confirmation and Approval – Police Department – Animal Control Donations Name of Grant: Animal Control Donations Amount Requested: \$2,487.00 Code: 2130-18000-57030 Grant Period: From: To: Type of Local Amount Loaned from General Fund: \$0.00 Department Administering Grant: Police Department/Animal Control When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted. Description of services to be provided by this Grant: The donations received will be used to defray the costs of caring for the animals impounded by the Animal Control Requested by: Acting Chief Patrick T. McMahon

Agenda Item Description (Approved)	10 Payment of City Bills  Councilman Serra moves to pay all bills that have been properly approved. Councilman Pessina seconds the motion. The Chair calls for the vote. It is nine aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Faulkner, Kleckowski, and Drew and one nay vote by Councilman Bauer. The Chair states the matter passes with nine affirmative votes, and one in opposition.
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Agenda Item Description	11 Ordinances and Resolutions
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Agenda Item	11-1  Councilwoman Kleckowski reads and moves for approval agenda item 11-1, a change in Council rules; Councilman Pessina seconds the motion.  Councilman Klattenberg states he was trying to understand from reading the resolution; I understand why we wait 4 days prior to the meeting, because Finance and Government Operations can meet so if there are additions and changes, they can be made. I would prefer we maintain that practice. I will not support the seven days in light of the fact Finance meets and those decisions made before the packets are delivered. Councilman Bauer states he is supporting the resolution and what he sees, we used to get it before Finance and Government Operations, and it alerted me to come to the meeting when there was something of financial impact; what we have lost is we have shut the public out of the Councilis business so the packages are not released until the end of Thursday and they are not alerted. They get wind of it Friday and these things can sail through the weekend without notification. We are doing the peopleis business and we should have deadlines and accommodations to the public. The deadlines come much too quick and the public can be caught unaware of what is on the regular meeting. I support a longer lead time and it gives the public a window into what the Council will do.  Councilman Streeto states with all due respect to Councilman Bauer, it doesnit make a lot of sense. If the packet is delivered earlier, there are more amendments and they will find there are more things they no nothing of. He shares Councilman Klattenbergis concerns about when they meet and they submit a lot of material that goes through there. For that committee not to have a role and final say is nonsensical. It might be that whatever body is here in December, that they deal with the rules. The public should be used to the four day delivery. It is not as if anything gets formulated 4 days before
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the meeting, this resolution that was added did not come through committee. Matters of significance get in the papers well before the meeting. I don't think it is well taken at this time.

Councilman Santangelo states he agrees with Councilman Streeto; if we agree that it comes out seven days before and nothing can be added, then he goes along with the four days. This does give the public time to look at what goes on.

Councilwoman Kleckowski states first to Councilman Streeto, any Council person can bring forward a resolution and it doesn't have to go through committee. I get it on Thursday after 5 p.m. and it only gives me Friday and Monday to contact a director. The seven days is to provide notice of what is coming forward. You can still have the four days to add items. If you want to talk about four days, it should be four working days. Getting a packet on 5 p.m. on Thursday is not conducive for proper research for Monday evening. It doesn't give ample time for people who work. She asks they reconsider their aversion to this. We would have time to ask questions and what comes before Finance and Government Operations can be added on.

Councilman Serra states we have been dealing with this for years and the departments send numerous legislation late in the month in order to get the work done. We do get draft agendas, and it gives us time to do our research. As Councilman Bauer stated we have one individual that would have veto power to not add to the agenda. Other than changing the Finance Committee to something else, I don't know that it will work. We need to leave it as it is at this time.

Councilman Drew addresses Councilwoman Kleckowski to availability; it does come out on the website and can be accessed. I was in Florida for a business trip and I could review the agenda. While I understand her concern, it still gives the public time to review it.

Councilman Klattenberg states it does raise a point to have more time and maybe when we reorganize we look at the Finance and Government Operations Committee to provide ample time. I think we should do it when we reorganize.

Councilman Bauer states he was glad to hear the comment from Councilman Klattenberg and that is one of his thoughts. When it is regularly scheduled we can change it. He was dismayed by Councilman Streeto's comments which is to lower the bar. We should always let the public in here. He talked about referring it to committee. There is no committee to refer this to because it is how the Council runs its business and it is proper to bring it strictly to the Council. It is not just the scheduling of the particular committees, but if we change the deadlines and it is understood if you don't get a resolution to the appropriate committee by a certain time, it won't be on the next meeting. Their lateness becomes our emergency and the public is not served if we let the resolutions float in. If we look at this situation and make it work for the public, that is what we ought to be doing. It is great for having draft agendas and the public doesn't see it and when the agenda comes out it is just three days.

Councilman Serra states you hit a point that could be worked and it is to have the draft agenda available to the public. Councilman Bauer states the draft that the public sees is only just one small paragraph and until the package is released, they don't have access to the entire wording of the resolution. They don't have that. I would think the entire package was released into the public domain as PDF, it would go a long way to alleviate concerns about how we do business. This resolution is a healthy thing to continually try to improve in letting the public in on our business.

#### **Motion to Call Question and Motion to Waive Rules**

Councilman Daley states as titillating as the debate is on this issue, those of us concerned about letting the public in and showing concern on issues of interest, we have several people here about 11-8 and they were the only members who spoke and continue to be here and he would like to see it moved up so they can go home. First, I suggest after we take care of this item, we move 11-8 to the top of the agenda and he calls the question. Councilman Drew seconds the motion to call the question.

The Chair calls for the vote to call the question. It is unanimous to approve with ten aye votes. The Chair states the matter passes.

The Chair calls for the vote on agenda item 11-1. It is three aye votes by Council Members Pessina, Kleckowski, and Bauer; and seven nay votes by Council Members Serra, Klattenberg, Daley, Santangelo, Streeto, Faulkner, and Drew. The Chair declares the nays have it and the resolution fails.



Councilman Serra comments that he believes the draft agenda should be made public. Councilman Pessina seconds that. The Mayor asks the Clerk to check the rules to see if there is anything that prohibits putting the draft on the website.

Resolution No.  
File Name  
Description  
  
(Defeated)

17-11  
ccchangerules09-11.docischarge.doc  
Approving a change to the Council Rules regarding preparation and delivery of Council packets seven (7) days before a meeting instead of four (4).

**WHEREAS**, the Common Council passed a resolutions outlining its rules of procedures; and

**WHEREAS**, the rules under Section I, number 8 states that only those resolutions and ordinances received by the members of the common Council at least 4 days prior to the regular meeting shall be considered additions on the agenda; and

**WHEREAS**, the Council now receives the regular meeting material only four days before the regular meeting, reducing the time that Council Members have to review and research information with departments and directors.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That #8 be amended to read:

iThe Council agenda is to be prepared and sent out seven days before the regular meeting. If a resolution or ordinance is not on the agenda on the day the agenda is delivered, but should be considered by the Council at the regular meeting, the item for consideration should be sent out at least (4) days prior to a regular monthly meeting of the Common Council and shall have the appropriate financial statement (see item 3) in order for it to be considered at the regular meeting. Items that are considered an emergency and must be acted on by the Council may be added to the agenda as late as the day of the meeting.i; and

**BE IT FURTHER RESOLVED:** This rule change allows for the needed time to review the agenda before the meeting, as well as offering directors a method to allow for additions and emergency items to be added to the agenda in accordance with Council rules and Charter which allows such additions so long as such additions are approved by nine votes of the Common Council.

Agenda Item

11-8

Motion to Waive Rules

Councilman Streeto moves to waive the rules to move agenda item 11-8 as the next item of business; Councilman Daley seconds that motion. The vote is called and it is unanimous to approve with ten aye votes. The Chair states agenda item 11-8 is at the top of the agenda.

Councilman Daley reads and moves for approval agenda item 11-8 and thanks the Council for agreeing to move it forward. His motion is seconded by Councilman Serra. Councilman Daley states we had some discussion during the questions to directors and we had an Economic Development Committee meeting prior to this meeting and this resolution was voted on favorably to move to the Council for a vote. During the discussion of Economic Development Committee were questions of criteria for the grants. We have not had an opportunity to talk about it, but my expectation is to work with the businesses to ensure it is used effectively to get them back up and running. We want to keep the program simple and there may be other forms of assistance that may be made available to help them, but I strongly encourage the Council to be responsive to this event that occurred in our City and understand we have a long precedence of giving assistance. Councilman Daley states Councilman Santangelo talked about the sewer separation project on Liberty Street and Arescois Market. We helped many businesses get started. This is a matter of business retention and is critical. Middletown Framing has been a strong business in Middletown for 35 years and we should ensure there is a mechanism in place to help them. He urges his colleagues to approve this.

Councilman Santangelo states Councilman Daley has been on Economic Development for 18 years and I do remember taking care of the Aresco Market. His co-workers, when they heard about the collapse, asked about the businesses and I told them we would help them and three days later we have this. We have to keep our businesses here. We have to be business friendly. We want them to stay. You are what makes Middletown. He was told they have to keep Mike's Barbershop here. It is obvious this is our obligation to help.

Councilman Drew states he will support this and hopes we can support it unanimously. It is important to remember these are not corporate behemoths, but our neighbors; they are investing in downtown. as I listened to you earlier, these are families and they are the backbone of the City. This isn't just an issue of business retention, but also business attraction.

Through a disaster, what does it say when we don't help our businesses stay in Middletown. He plans on supporting this.

Councilman Klattenberg states he likes his colleagues views that this resolution is based on the need of the City to do what we can for the small businesses in the City. The foundation is sound and he does have some questions on this. Two questions he has, is it makes reference to \$5,000 and where did this number come from. It may turn out that one needs more than \$5,000 and another less than \$5,000. He wonders if it should be listed as a pool. He wonders if it should be an interest free loan and in a pool. It is that five or six businesses may use this and it should be a pool and criteria from the Economic Development Committee should be used. I think this is a resolution based on benevolence and can be improved if it was an interest free loan and a pool.

Councilman Bauer states what he heard and what I feel is that there is a personal need; we had an extraordinary winter and events and what this Council is about, this resolution is supposed to be more legislative. He has confidence in the people who will help the program evolve into what it is supposed to do, what it wants to do. As part of the legislative process I don't see enough in front of me even though I have the greatest confidence of the Chair of the Economic Development Committee. This is not a fully thought out idea and we should not open the taxpayer money when we don't have a fully crafted plan.

Councilman Pessina states he will support this resolution; it is a conduit to Economic Development Committee and the Planning office to provide the emergency small business assistance loans to you. Small businesses have made Middletown special; it is not just the restaurants, but the small businesses. I look at the resolution as an avenue to make decisions, whether it is a loan, grant or pool. We have qualified and experienced people who have done this in the past and we should do it that way and we will continue to support businesses as we have in the past. I have all the confidence in this. I believe they will formulate a program that will be beneficial to you and other businesses.

Councilman Faulkner states he will support this; I believe we supported a lot in the business community. Some of it solid and some of it pie in the sky and these are proven businesses and they moved to Main Street. Mike's Barbershop is important to me and particularly to the African American. You get a lot of education there. They get to have conversations there. I will support this and trust the Economic Development Committee to manage this.

Councilman Serra asks Councilman Daley the balance in the Economic Development Fund; Councilman Daley responds he doesn't have the figure but there is sufficient income there. Councilman Serra states it is a no-brainer. He will support this and things Councilman Klattenberg has a viable addition putting faith in the Economic Development Committee Chair, the Mayor and the Planning Director for dispersing the monies. We adopt this but some individuals may be more devastated than others, so the words should be that it is an emergency situation and add verbiage. Councilman Daley states we want to do the right thing and I share the commitment as does the Mayor. This is an extraordinary situation and they had discussion before. Loan programs are more complicated and they have to be secured by collateral. This is to jump start and give aid immediately. It is up to \$5,000. I need to be assured the money is needed and put to effective use to get the business up and running. I know the Mayor and his departments have been putting data together to the State and Federal Government. Would you like Washington to say we will give you a loan; no. We want to give assistance. Councilman Serra states it should be up to \$10,000 to be more flexible. Councilman Daley responds that would be great. Councilman Serra states would that be more flexible. Councilman Daley responds if it is the Council's will, we would be amenable to that. We might also say you can come back. Councilman Daley states \$10,000 was a better amount.

#### **Move to Amend**

Councilman Streeto offers an amendment to change \$5,000 to up to \$10,000; the second part is adding after the words working with the utilities and any government or fiscal entities before the words and issuing economic development fund grants. This is to deal with immediate needs to help them seek out other funding which might be available. Councilman Daley accepts it as a friendly amendment. Councilman Serra states he will second it, if necessary.

Councilman Klattenberg states it did strike him about the \$5,000 under the circumstances of this emergency. It made him wonder if it would help them secure a new location.

Move the Question

Councilman Serra makes the motion to move the question; Councilman Pessina seconds the motion. The Chair calls for the vote and it is unanimous to approve with ten aye votes. The Chair states the matter passes unanimously.

The Chair calls the vote on agenda item 11-8 as amended. It is nine aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Santangelo, Streeto, Faulkner, Kleckowski, and Drew; and one nay vote by Councilman Bauer. The Chair states the matter passes with one in opposition.

Resolution No.  
File Name  
Description

18-11  
pcdEmergencyBusinesprogram.doc  
Authorizing the mayor to establish a temporary emergency Small Business Assistance Program to help the small businesses displaced from Main Street due to collapsed or structurally unsound buildings find new locations, helping with permitting issues, and working with the utilities and any other government or fiscal entities, and issuing Economic Development grants up to \$10,000 per each displaced business with the Planning, Conservation and Development Department in consultation with the Mayor and Chairman of the Economic Development Committee administering the program.

(Amended and Approved)

**Whereas** various small Main Street businesses have been displaced from their storefronts due to collapsed and/or structurally unsound buildings; and

**Whereas** the City of Middletown has an obligation and a vested interest in assisting those small businesses that are in need and keeping them in town, ideally on Main Street; and

**Now therefore be it resolved** that the Mayor is authorized to establish a temporary emergency Small Business Assistance program to provide assistance in identifying new locations, expediting any permitting issues, working with the utilities and any governing or fiscal entities, and issuing Economic Development Fund grants up to \$10,000 per displaced business; and

**Be it resolved further** that the Department of Planning, Conservation and Development, in consultation with the Mayor and the Chairman of the Economic Development Committee, will administer the program; and

**Be it further resolved** all city departments will expedite approvals to the extent possible and the Finance Department is authorized to expedite the disbursement of funds in a manner similar to the procedures outlined in Chapter 78 Section 14 of the Middletown Code of Ordinances.

Agenda Item

11-2

Councilwoman Kleckowski reads and moves for approval agenda item 11-2; and her motion is seconded by Councilman Pessina. Councilman Streeto states the original intention was to move this to the Personnel Review Commission and both members of the Commission are in support of it and we should just pass it tonight. Councilman Serra states it will be fine to pass it and have it come back as legislative policy. We can say yes and bring it to the Personnel Review Commission.

Motion to Amend

Councilman Daley suggests that he is uncomfortable voting in favor of this tonight. We heard there is a framework that has been tentatively agreed to at least by the Board of Education and the City Personnel Department. We don't know how the Unions feel about it and in my mind, I am familiar with sick bank programs and they are subject to collective bargaining and I don't have a problem referring this, but we should go cautiously and hear what the framework is and give the employee reps and Unions to weigh in on that and go from there. I would move that we refer to the Personnel Review Committee. Councilman Klattenberg seconds the motion.

Councilman Serra states either way, we will come up with something. The Chair states that is where it will end up. Councilman Klattenberg states he would feel comfortable after they see the language from the discussion with Board of Education. The Chair states it was one employee. Councilman Daley states it was an outline of a program mentioned by the Personnel Director. The Chair states intra-bargaining unit, those things are being done; you can do it for each individual bargaining unit and it gets complicated when it is inter-bargaining. That will be done legislatively. Whether you want to address this to the Personnel Review Committee or pass it. It will end up at the Personnel Review Committee.

The Chair states the motion has been moved and seconded to refer this to the Personnel Review Committee. Councilwoman Kleckowski states she understands the point of view, but it is here so that what happened to the 466 member won't happen again. The bottom line is we need a stronger policy that allows inter-donation and to avoid what happened with the Board of Education declining to recognize the MOU. We want to make sure it doesn't happen again. It is to ensure that another official does not deny this.

Councilman Serra states that is what we will work on for the Personnel Review Committee.

The Chair, hearing no further discussion, calls for the vote. It is unanimous to refer this to the Personnel Review Committee with ten aye votes. The Chair declares the matter passes unanimously.

Resolution No.

File Name

Description

19-11

ccrequestmalyorsicktimebank.doc

Approving requesting the Mayor's Office to review the legal requirements for establishing a Sick Time Bank for City Employees and reporting back to the Council its findings.

(Referred to Personnel Review Committee)

WHEREAS, the Union employees have requested the City to be able to help their fellow Union workers by donating sick time they have accrued; and

WHEREAS, the City has agreed, in the past, to this practice.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That it requests the Mayor's Office to review the legal requirements for establishing an employee sick time bank including consulting with the bargaining units for their input, and to report back to the Council with a plan to establish such sick time bank.

Financial Impact: The review process and plan have no financial impact.

Agenda Item

11-3

Councilman Klattenberg reads and moves agenda item 11-3 for approval and His motion is seconded by Councilman Bauer. There is no discussion. The Chair calls for the vote and it is unanimous to approve with ten aye votes. The Chair states the matter passes unanimously.

Resolution No.

File Name

Description

20-11

pwlocipappasbestosremovalMunicipalBldBoiler.doc

Approving authorizing the Mayor to sign an application to the State of Connecticut for a LoCIP grant in the amount of \$25,000 for asbestos abatement design, removal and monitoring for the municipal building boiler; approving creating a new Capital Improvement line item entitled Municipal Building Boiler Asbestos Removal Project in the amount of \$25,000; and approving a loan from the general fund in the amount of \$25,000 to be repaid upon receipt of grant funds.

(Approved)

Be It Resolved by the Common Council of the City of Middletown: That Mayor Sebastian N. Giuliano be authorized to sign an application to the State of Connecticut for \$25,000 from the Local Capital Improvement Program (LOCIP) for asbestos abatement design, abatement removal and monitoring services associated with the boiler replacement in the Municipal Building; and

That a loan from the General Fund in the amount of \$25,000 is hereby authorized and that said loan be repaid from LoCIP grant receipts.

AND BE IT FURTHER RESOLVED: That a new Capital Improvement line item entitled Municipal Building Boiler Asbestos Removal Project, in the amount of \$25,000 be added.

Agenda Item

11-4

Councilman Faulkner reads and moves for approval agenda item 11-4; the motion is seconded by Councilman Pessina. The Chair states the matter has been moved and seconded; seeing no discussion indicated, he calls for the vote. It is approved unanimously with ten aye votes. The Chair states the matter passes unanimously.

Resolution No.

File Name

Description

21-11

PCD\_CDBGprograminc.doc

Approving the changes to the 2010 CDBG entitlement year to transfer \$10,000 by decreasing line item 3960-00300-30320-0000-00000-0000-900, Residential Rehab Loan Fund Balance in the amount of \$10,000 and creating a new line item 3960-14000-57030-000-xxxxx-0000-000, Middletown Small business Startup/Expansion grants in the amount of \$10,000 and if additional funds are received, they will be used for this program and authorizing the Mayor to submit an amendment to the City's Consolidated Plan to access the \$10,000 CDBG program income.

(Approved)

WHEREAS, the City of Middletown receives Community Development Block Grant (CDBG) funds from the US Department of Housing & Urban Development as an entitlement community, and

WHEREAS, the final rule was published on January 5, 1995 in the Federal Register for the Consolidated Submission for Community Planning & Development Programs; and,

**WHEREAS**, the ongoing receipt of CDBG funds is conditioned upon the drafting and adoption of a Five Year Consolidated Plan of Housing and Community Development under federal regulations [24 CFR 91.1(a)(2)], and the drafting and adoption of an Annual Action Plan; and,

**WHEREAS**, such a Consolidated Plan and 2010 Annual Action Plan have been properly drafted and subject to due review by the public and by the Citizens Advisory Committee pursuant to the HUD final rule,; and,

**WHEREAS**, the Citizens Advisory Committee has seen fit to recommend approval and adoption of this Consolidated Plan,

**WHEREAS**, the City of Middletown expects to received \$454,428 in Community Development Block Grant funds for the 2010 entitlement year ; and,

**WHEREAS**, the City of Middletown estimates that we will receive \$10,000 in program income Community Development Block to be reprogrammed for the 2010 entitlement year, however history has shown it could me more or less than this amount.; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:**

**DECREASE**

<b>Program Income- Fund Balance</b>				
Line Item 3960-00300-30320-0000-00000-0000-900	Residential	Rehab	Loan	Fund
Balance	\$10,000			

**CREATE**

<b>Program Income- Expenditure Accounts</b>				
Line Item 3960-14000-57030-0000-XXXXX-0000-000	Middletown	Small	Bus.	
Startup/Expansion grants	\$10,000			

**BE IT FURTHER RESOLVED:** That in the event that more than \$10,000 is received the council authorizes the use these funds for the Middletown Small Business Start-up and Expansion grants; and,

**BE IT FURTHER RESOLVED:** That the Mayor, as Chief Executive Officer of the City of Middletown, is hereby authorized to submit an amendment to the *City of Middletown Consolidated Plan for Housing & Community Development September 1, 2010 to August 31, 2015* and the 2010 Annual Action Plan to access \$10,000 in CDBG program income; and,

**AND BE IT FURTHER RESOLVED:** That the Consolidated Plan may be updated and amended as necessary to reflect Community Development Block Grant programs approved by the Common Council and changing priorities of present and future potential grant recipients.

**FINANCIAL IMPACT** óThere is no impact to the general fund. The program income is derived from loans issues under the Community Development Block Grant Down Payment and Residential Rehab programs that are no longer in operation. HUD requires that this program income have a designated use and not be held in a revenue line-item. The administration and staff time cost in managing these funds is funded in part by the annual entitlement received by the City of Middletown.

**Agenda Item** **11-5**

Councilman Daley reads and moves for approval agenda item 11-5; his motion is seconded by Councilman Santangelo. The Chair, hearing no discussion calls for the vote. It is approved unanimously with ten aye votes. The Chair states the matter passes unanimously.

**Resolution No.**  
**File Name**  
**Description**

**22-11**  
**pcdHinckleyallen&synderotPepe2.doc**  
**Approving the transfer of \$500 from the Economic Development fund balance to line item 4330-14000-55160 Pepe & Hazard/Hinckley, Allen and Snyder, LLP for the final payment for representation services for legal representation in the dispute over Phase 3 of the Middlesex Mutual Redevelopment Project.**

**(Approved)**

**WHEREAS**, at the January 10, 2011 meeting of the Economic Development Committee (EDC) the Committee voted unanimously to pay \$500.00 (Five Hundred Dollars) to the firm of Hinckley, Allen and Snyder LLP (Atty Tim Corey) for the final bill in the representation of the City of Middletown in the dispute over Phase 3 of the Middlesex Mutual Redevelopment Project, and

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:**

That the sum of \$500.00 be transferred from the Economic Development Fund balance to line item 4330-14000-55160-0000-00000-0000-000-Pepe & Hazard LLP/ Hinckley, Allen and Snyder LLP to make the final payment for funding representation services for legal representation.

**FINANCIAL IMPACT** óThere is no impact to the general fund. The \$500.00 expense will be paid from the Economic Development Fund. The City of Middletown has regained a valuable property by these actions.

**Agenda item** **11-6**

Councilman Serra reads and moves for approval agenda item 11-6; his motion is seconded by Councilman Pessina. There is no discussion. The vote is called and it is unanimous with ten aye votes to approve the matter. The Chair states the matter passes unanimously.

Resolution No.  
File Name  
Description

23-11

pkmetersbidwaiver.doc

**Approving a bid waiver in accordance with Section 78-8 of the Middletown Code of Ordinances to approve the purchase of IPS Group brand single space meters.**

(Approved)

**Whereas**, the Middletown Parking Department has properly submitted necessary paperwork to the City's Purchasing, which has approved the requested Bid Waiver with a 2-1 vote on January 21, 2011; and

**Whereas**, the Parking Department is seeking single space meters with unique features with retrofit capabilities for Middletown's current single-space housings, a web-based management system with wireless interface capabilities, full payment convenience of credit-card, debit-card, and smart-card payment options; and,

**Whereas**, the unique features sought by the Parking Department were tested for a period of three months on Main Street and found to be in keeping with desirable expectations; and,

**Whereas**, the unique features of the IPS Group meters which enable the retrofit, credit card use, and user interface capabilities are protected by US Design Patents US Pat D575168 and US Pat D587141; and,

**Whereas**, the IPS Group brand is utilized by Municipalities in Connecticut and through the country; and the Middletown Parking Department hopes to follow these to match leading standards user experience and revenue management.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That a bid waiver, in accordance with Section 78-8 of the Middletown Code of Ordinances, be approved to make a purchase of the IPS Group single space meters in accord with the Purchasing ordinances.

Agenda item

11-7

Councilman Drew reads and moves for approval agenda item 11-7 and his motion is seconded by Councilman Pessina. Seeing no discussion, the Chair calls for the vote. It is approved unanimously with ten aye votes. The Chair states the matter passes unanimously.

Resolution No.  
File Name  
Description

24-11

PRsnowblower2011.doc

**Approving the purchase of a John Deere Snow Blower from the State bid for \$8,475 using the CNR funds designated for a Front-Cut Mower for the Park and Recreation Department.**

(Approved)

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the Middletown Parks and Recreation Department is hereby authorized to purchase a 2011 Deere Snow Blower attachment from the State bid for \$8,475 from CNR money previously designated for a Front Cut Mower.

Financial Impact: There is no financial impact as the money is already allocated for equipment for the parks division for a front cut mower which will not be purchased this fiscal year. The remaining balance of \$1,525 will remain in the CNR account to support the replacement or repair of a Front Cut Mower.

Agenda Item  
Description

12

**Mayor's Appointments**

The Chair states he has appointments to announce and reads them.

Councilman Serra moves them for approval and Councilman Pessina seconds the motion. The Chair states confirmation of the appointment has been moved and seconded and asks if there is any discussion; hearing none, he calls for the vote. It is unanimous to approve with ten aye votes. The Chair states the matter passes unanimously.

**Parks and Recreation Commission:**

Reappointment of Sheila Jones to November 30, 2015.

Agenda Item  
Description

13

**Contingency Fund Transfers**

There were no contingency fund transfers to announce

Agenda Item  
Description

43

**Questions to Directors on Nonagenda Items**

There are no questions to directors on nonagenda items.

**Point of Information**

The Chair recognizes Councilman Streeto who asks about the new mayoral vehicle. The Chair state he has a new old vehicle. Councilman Streeto states there was a small pick-up truck and plow in the Mayoris parking space.

**Motion to Adjourn**

Councilman Klattenberg moves to adjourn and his motion is seconded by Councilman Serra. There is no discussion and the vote is called. It is unanimous to adjourn and the Chair declares it at 8:41 p.m.

ATTEST:

MARIE O. NORWOOD  
Common Council Clerk